

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
BETTER HOLDCO, INC.,

Plaintiff,

-v-

BEELINE LOANS, INC.,

Defendant.
-----X

20 Civ. 8686 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

On June 16, 2021, Defendant filed an answer to the amended complaint and asserted a counterclaim against Plaintiff for tortious interference with prospective economic relations. Dkt. 85. On August 2, 2021, Plaintiff filed a motion to dismiss Defendant’s counterclaim. Dkt. 102. On August 14, 2021, Defendant filed an amended counterclaim. Dkt. 110. On August 18, 2021, Plaintiff informed the Court that it “intends to stand by its August 2, 2021 motion to dismiss.” Dkt. 114. The next day, Defendant filed an opposition to Plaintiff’s motion to dismiss the amended counterclaim. Dkt. 117. On August 31, 2021, Plaintiff filed a reply in support of its motion to dismiss the amended counterclaim. Dkt. 124.

On September 21, 2021, after the parties finished briefing on Plaintiff’s motion to dismiss the amended counterclaim, Defendant filed a letter advising the Court that it “withdraws its Amended Counterclaim (Dkt. No. 110) without prejudice and reserves the right to re-file the same. As such, Plaintiff’s motion to dismiss the Counterclaim (Dkt. No. 113) would appear to be moot.” Dkt. 126. Accordingly, it is hereby ORDERED that, by December 1, 2021, Plaintiff shall file a letter advising the Court regarding whether it consents to Defendant’s withdrawal of the amended counterclaim and, thereby, rendering Plaintiff’s motion to dismiss Defendant’s amended

counterclaim moot.

SO ORDERED.

Dated: November 23, 2021
New York, New York

A handwritten signature in black ink, appearing to read "John P. Cronan", is written over a horizontal line.

JOHN P. CRONAN
United States District Judge